

**REMARKS**

Claims 1-32 are pending in this application. By this Amendment, the specification and claim 1 are amended. No new matter is presented in this Amendment.

Applicants gratefully acknowledge the indication that claims 8, 18 and 27 contain allowable subject matter.

The courtesies extended to Applicants' representative by Examiner Briney at the interview held January 11, 2005, are appreciated.

The Office Action rejects claims 1, 2, 4-6, 11, 12, 15-17, 19-21, 23-25 and 30-32 under 35 U.S.C. §103(a) over Pietrowicz et al. (U.S. Patent Application Publication No. 2003/0026244) in view of Wu et al. (U.S. Patent No. 6,480,581). This rejection is respectfully traversed.

Independent claims 1, 15, 20 and 32 recite, inter alia, "an external telephone connection unit" being connectable to an external telephone. Claims 1 and 32 recite an external connection unit "being connectable to an external telephone having a handset." Claim 15 recites an "external telephone connection unit connected to an external telephone having a general telephone function for telecommunication through a telephone network." Claim 20 recites an "external telephone connection unit being connectable to an external telephone for executing a telephone call through a telephone network, the external telephone having a handset." The Office Action asserts that Pietrowicz et al. discloses a desktop appliance having an audio port (156) for other external telephony devices, such as the external telephone connection unit claimed by the Applicants. Applicants respectfully disagree.

Pietrowicz et al. discloses, at para. [0025], an audio port 156 for allowing an external audio device, "such as an answering machine," to be connected to the appliance. Nowhere, however, does Pietrowicz et al. disclose, teach or suggest an external telephone connection

unit connectable to an "external telephone" as recited in any of claims 1, 15, 20 and 32. As shown in Figs. 1-3, Pietrowicz et al. discloses the audio port 156 connectable to an external audio device 160, the audio port being fed an audio stream from a switching & bridging system, which derives its input from an analog telephony processor 134 that strips out the control and feature information from the data stream received from the analog interface 132. Based on this disclosure, Pietrowicz et al. suggest that the audio stream contains only audio data and is totally lacking in control data as would be conveyed by a standard analog telephone, or more specifically, an "external telephone having a handset" as recited by the Applicants.

Thus, with control information stripped from the audio stream, Pietrowicz et al. fails to disclose, teach or suggest an external telephone connection unit as recited in claims 1, 15, 20 and 32. Therefore, Pietrowicz et al. in view of Wu et al. fails to disclose, teach or suggest all recited elements of claims 1, 15, 20 and 32.

Notwithstanding the Office Action's interpretation of Pietrowicz et al., the Office Action acknowledges that the disclosure of Pietrowicz et al. is incomplete and relies on Wu et al. to allegedly resolve the deficiencies. Specifically, the Office Action acknowledges that Pietrowicz et al. fails to disclose the existence of a "dial start command unit" as well as a "handset validation unit." It is respectfully submitted that Wu et al. fails to make up for these deficiencies.

Claims 1 and 20 recite a "dialing start command detection unit configured to detect an IP telephone dialing start command." Applicants submit that, as shown in Figs. 1 and 2 and recited at col. 3, lines 33-42, Wu et al. discloses an Internet/telephone adapter device and method having a single network interface, an analog telephone interface, to the PSTN. To further emphasize the analog nature of the telephone, Fig. 4 step 402 discloses a step whereby a DSP device detects DTMF signals from the analog phone.

Therefore, the Applicants submit that the dialing procedure disclosed by Wu et al. can only be directed towards an analog telephone, and that the dialing procedure disclosed by Wu et al. would be incapable of detecting digital start commands as generated by a digital telephone, or more specifically in an Internet telephone. Nowhere, does Wu et al. disclose, teach or suggest a digital telephone interface or, more specifically, a dialing start command detection unit configured to detect an "IP telephone dialing start command," as recited in claims 1 and 20.

Therefore, the asserted combination of Pietrowicz et al. in view of Wu et al. also fails to disclose, teach or suggest a dial start command, as recited in claims 1 and 20. Thus, Pietrowicz et al. in view of Wu et al. fails to disclose, teach or suggest all recited elements of claims 1 and 20.

Regarding the Office Action's assertion that that Wu et al., in step 402, discloses by implication the existence to a "handset validation unit configured to selectively validate one of the handset of the main unit and the handset of the external telephone," Applicants respectfully disagree.

Wu et al. discloses, in Figs. 1 and 2 and at col. 3 lines 50-52, an internet/telephone adapter device and method having connectors 207, 208 for connecting to the telephone line and telephone set respectively. Wu et al. further discloses, in Fig. 4A and at col. 4 lines 53-55, step 402, whereby the caller interface detects the off hook signal of the telephone set and enables the DSP to detect DTMF signals.

Based upon the above disclosure, Applicants respectfully submit that Wu et al. teaches a device and method having a single telephone set. Nowhere does Wu et al. provide disclosure or motivation, implicit or explicit, to suggest a handset validation unit configured to selectively validate between two handsets, as recited in claims 1, 20 and 32. Therefore,

Applicants respectfully submit that the applied art fails to disclose a handset validation unit as recited in claims 1, 20 and 32.

Furthermore, notwithstanding the lack of explicit or implicit disclosure of all claimed elements in the combined disclosure of Pietrowicz et al. and Wu et al., Applicants respectfully submit that the combination or modification of references can not render the resultant combination obvious unless the prior art also suggest the desirability of the combination. In the rejection of independent claims 1, 15, 20 and under 35 U.S.C. §103(a) over Pietrowicz et al. and Wu et al., the Office Action asserts that Wu et al. makes up for the deficiencies of Pietrowicz et al. Applicants respectfully submit that the combination of Pietrowicz et al. and Wu et al. is improper, and appears to be based on impermissible hindsight reasoning.

Pietrowicz et al. discloses a dual network interface integrating PSTN and Voice over Internet calls. As discussed above, Wu et al. discloses an analog telephone adapter, the adapter having an analog interface to the PSTN, whereby an analog telephone may direct the adapter to make a standard PSTN call, or to make an Internet call by first calling an ISP, over the same PSTN interface. Applicants respectfully submit that neither Pietrowicz et al. nor Wu et al. suggest the desirability of combining such teachings. It is improper to use the claimed invention as an instruction manual to piece together the teachings of the prior art so that the claimed invention is rendered obvious. The Office Action appears to use improper hindsight reconstruction to pick and choose among isolated disclosures. Accordingly, it is respectfully submitted that the combination is improper.

Applicants respectfully submit that claims 1, 15, 20 and 32 are patentable not only due to the failure of Pietrowicz et al. in view of Wu et al. to disclose, teach or suggest all recited elements of their respective claims, but are also patentable based upon the improper combination of Pietrowicz et al. and Wu et al. Claims 2-7, 9-14, 16-17, 19, 21-26 and 28-31

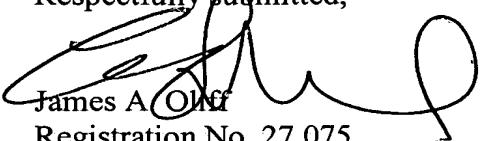
depend from these independent claims and are likewise patentable over the applied art for at least their dependence on an allowable base claim, as well as for additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

The Office Action rejects claims 3, 13, 14 and 22 under 35 U.S.C. § 103(a) over Pietrowicz et al. in view of Wu et al. and Erekson (International Publication No. WO01/65786). It is respectfully submitted that this rejection is also improper in view of the improper combination of Pietrowicz et al. in view of Wu et al., as discussed above. Further, Erekson fails to overcome the shortcomings of Pietrowicz and Wu et al. discussed above. Thus, claims 13, 14 and 22 depend from patentable independent claims and are likewise patentable over the applied art for at least their dependence on an allowable base claim, as well as for additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-32 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

  
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